

# SENATE BILL 1028

K3, P4

2lr3272

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By: **Senators Zirkin and Peters**

Introduced and read first time: February 22, 2012

Assigned to: Rules

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## A BILL ENTITLED

1 AN ACT concerning

2 **Labor and Employment – Leave – Deployment of Family Members in the**  
3 **Armed Forces**

4 FOR the purpose of authorizing certain employees to take leave from work on the day  
5 that an immediate family member is leaving for, or returning from, active duty  
6 outside the United States as a member of the armed forces of the United States;  
7 prohibiting an employer from requiring an employee to use certain leave when  
8 taking leave under this Act; authorizing an employer to require an employee  
9 who requests leave under this Act to submit certain proof to the employer;  
10 defining certain terms; and generally relating to the use of leave by employees  
11 and the deployment of immediate family members in the armed forces.

12 BY adding to

13 Article – Labor and Employment

14 Section 3–803

15 Annotated Code of Maryland

16 (2008 Replacement Volume and 2011 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article – Labor and Employment**

20 **3–803.**

21 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE**  
22 **MEANINGS INDICATED.**

23 **(2) “EMPLOYEE” MEANS AN INDIVIDUAL EMPLOYED BY AN**  
24 **EMPLOYER TO WORK FULLTIME OR PARTTIME.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(3) “EMPLOYER” MEANS:**

2                   **(I) A PERSON ENGAGED IN A BUSINESS, INDUSTRY,**  
3 **PROFESSION, TRADE, OR OTHER ENTERPRISE IN THE STATE;**

4                   **(II) THE STATE AND ITS UNITS;**

5                   **(III) A COUNTY AND ITS UNITS; OR**

6                   **(IV) A MUNICIPAL GOVERNMENT IN THE STATE.**

7           **(4) “IMMEDIATE FAMILY MEMBER” MEANS A SPOUSE, PARENT,**  
8 **STEPPARENT, CHILD, STEPCHILD, OR SIBLING.**

9           **(B) AN EMPLOYEE MAY TAKE LEAVE FROM WORK ON THE DAY THAT AN**  
10 **IMMEDIATE FAMILY MEMBER OF THE EMPLOYEE IS LEAVING FOR, OR**  
11 **RETURNING FROM, ACTIVE DUTY OUTSIDE THE UNITED STATES AS A MEMBER**  
12 **OF THE ARMED FORCES OF THE UNITED STATES.**

13           **(C) AN EMPLOYER MAY NOT REQUIRE AN EMPLOYEE TO USE ANNUAL,**  
14 **SICK, OR VACATION LEAVE WHEN TAKING LEAVE UNDER THIS SECTION.**

15           **(D) AN EMPLOYER MAY REQUIRE AN EMPLOYEE REQUESTING LEAVE**  
16 **UNDER THIS SECTION TO SUBMIT PROOF TO THE EMPLOYER VERIFYING THAT**  
17 **THE LEAVE IS BEING TAKEN IN ACCORDANCE WITH SUBSECTION (B) OF THIS**  
18 **SECTION.**

19           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
20 October 1, 2012.